

Testimony of Sharon B. Cohn
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On Forced Labor

United States House of Representatives Committee on International Relations
Subcommittee on Africa, Global Human Rights and International Operations

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Mr. Chairman and Members of the Committee: My name is Sharon Cohn, and I serve as Vice President of Interventions for International Justice Mission (IJM). IJM is an international human rights agency that mobilizes legal professionals to work with local governments to conduct investigations and to mobilize interventions on behalf of victims of abuse. IJM has offices in Africa, Latin America and Asia and through these offices has pursued justice for victims and accountability for perpetrators of rape, trafficking, illegal land seizures, illegal detention, forced-labor slavery, torture, child sexual exploitation, and police violence.

On behalf of IJM, I would like to express my thanks to you, other Committee members and your staff for making possible this important hearing on the annual "Trafficking in Persons (TIP) Report."

In light of the TIP Report's highlighting of forced-labor slavery this year, I would like to address issues of forced labor in my testimony. IJM staff members have testified previously before the House of Representatives on other issues of trafficking, such as commercial sexual exploitation.

Many people believe that forced-labor slavery has been banished from modern society or exists only as a relic and only in the most isolated corners of the world. Such belief is mistaken. Free the Slaves has stated that there are 27 million slaves in the world. The United States Department of State TIP Report states that:

[a] wide range of estimates exists on the scope, and magnitude of modern-day slavery, both internal and transnational. The International Labor Organization (ILO) -- the United Nations (UN) agency charged with addressing labor standards, employment, and social protection issues -- estimates there are 12.3 million people in forced labor, bonded labor, forced child labor, and sexual servitude at any given time; other estimates range from 4 million to 27 million.

The United States Department of State considers this issue to be so important that every year it examines forced and compulsory labor practices in countries throughout the world in its Country Reports on Human Rights Practices; in the 2005 report, released on March

8, 2006, the United States Department of State suggested that there were reports of forced or compulsory labor in more than 100 countries.

Even when some people reluctantly admit that forced-labor slavery in fact exists, they try to minimize the harshness of its reality, asserting that slaves are forced to work only because they owe money to their masters. May I respond? First, requiring specific performance for the repayment of a loan is usually illegal. But second, the loan itself is almost always a sham, a simple device to lure potential victims into the trap of forced labor, keeping the victims there by charging them extremely high, usurious rates and forcing them to buy necessities from their master at inflated prices, thereby ensuring that the loan can never be repaid. Third, and most importantly, the whole system of forced labor can only coexist side-by-side with the global free market economy when intimidation or force is used to bind the slaves to their master.

IJM staff members have met thousands of slaves, face to face. What all these slaves have in common is abuse or threats of abuse and a desperate desire to be free. Their stories are shocking.

I have debriefed female slaves who described gruesome ritualistic rape by their master's thugs.

I have witnessed government authorities rescue men who had been severely beaten and held hostage (locked in a shed) by their relatives' master because their relatives had escaped from the master's facility.

IJM staff members assisted in the rescue of a man who had been held as a slave from 1947 to 1998 without having been paid a single penny for his work.

I have heard, first-hand, a former slave recount how he ran away from his master's facility after his wife committed suicide because of the horrible conditions under which they toiled. The runaway slave was recaptured by his master two years later, taken back to the facility and beaten ruthlessly. When he begged for mercy, saying he would repay any debts owed, the owner suggested that he was not interested in repayment of the debt but simply in "the manpower."

Our own staff members have been attacked by a mob of hundreds of people organized by local slave-owners as we assisted the police in providing slaves with the option of leaving the place of their confinement for freedom.

These stories are not unique. They typify the everyday experiences of millions of individuals around the world.

What are we to do about slavery? Slavery in the past, in the United States and the rest of the world, shares many common characteristics with slavery in the world today. For example, now as then, individuals are essentially required to work for little or nothing and are not free to leave. However, there is one significant difference, a difference that

should inspire us all. In past abolition movements, great social upheaval was necessary in order to abolish laws that supported, for example, the African slave trade and apartheid. Slavery as practiced in the United States and elsewhere in the past was legal. This means that, for example, African slaves brought to our shores had no recourse, and there were few legal tools to bring to bear against American slave owners.

In contrast, slavery today is illegal. Countries around the world have enacted laws clearly identifying forced-labor slavery as a crime. Countries have also entered bi-lateral agreements prohibiting slave labor. Furthermore, the Slavery Convention, which entered into force in 1927, binds the nations of the world to preventing and bringing about the abolition of slavery in all its forms. Subsequent conventions -- including the Protection of Wages Convention and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery -- have developed and refined international law even further. The fact that the Supplementary Convention has been ratified by 106 states, including the United States, illustrates the international consensus in support of the prohibition.

A massive overhaul of legislation as an expression of public will is not needed. The public has already expressed itself in the form of laws. What is needed is for us all to simply recognize that millions of slaves exist, to identify the slaves and to hold governments accountable to release them and to prosecute the perpetrators. Today's abolition movement cannot be accused of misguided cultural imperialism. What is simply being asked is for governments to enforce their own laws and bi-lateral agreements. International and national awareness and action will have a grassroots effect. When slave sectors in local market economies are identified and called to account, local free-market businesses will also join the call for local government enforcement of the law, because a free-market economy and a slave-market economy cannot forever exist side-by-side, sharing the same market.

Bringing to light the facts of the daily lives of forced-labor slaves can help generate the same national and international consensus that stigmatized and undermined apartheid. America's history of more than 200 years of slavery and the exploitation of millions of Africans should inform our government's and citizens' passion for the issue and generate a desire to partner with other nations to eliminate this global scourge. Already, many powerful people in other countries have named modern-day slavery for what it is. For example, one former South Asian Supreme Court justice describes the life of forced-labor slaves as follows: "Bonded labourers are non-beings, exiles of civilization, living a life worse than that of animals, for the animals are at least free to roam about as they like... This system... is totally incompatible with the new egalitarian socioeconomic order which we have promised to build..." It is time for us, the citizens of the United States, to recognize that modern-day slavery is real and that we have a responsibility as members of a global market and community to help end it. We at IJM are encouraged by the statement in the TIP Report that "[o]ver the next year, the Department of State, as directed by Congress, intends to continue focusing more attention on forced-labor and bonded labor, while maintaining our campaign against sex trafficking." We look forward to seeing progress made.

Do not be discouraged. Cynics will tell you that we cannot end slavery, that it is as ancient as the stars and that it will end only at the very end of time. Pessimists will read the TIP Report and be overwhelmed by the amount of injustice in the world. Neither the cynics nor the pessimists will have the last word. Slavery will end. Child prostitution will end. Trafficking in persons will end. We are just beginning the modern-day abolition effort. Countries, including our own, have only recognized trafficking as a major problem in the past two decades. The TIP Report itself has only been published in recent years. And yet there is already so much for which we can be thankful.

Notably, while the TIP Report seems in our opinion to accurately describe many problems throughout the world, it also accurately highlights some successes. I would like to end with one such example. On December 26, 2004, a massive tsunami wiped out the southern and eastern coastline of Sri Lanka. Tens of thousands of people were killed. Additionally, tens of thousands were displaced; many of the displaced are orphaned children. Despite massive devastation to Sri Lanka, the TIP Report states that "[o]fficials remained vigilant toward the potential of increased child trafficking in the wake of the December 2004 tsunami, and there was no significant increase in reports of trafficking following the tsunami." IJM heartily agrees. IJM spent weeks in Sri Lanka in early 2005 examining government and community post-tsunami emergency child protection efforts. In the face of the devastation experienced by the people of Sri Lanka, we found that the government's child protection response was both credible and effective. We congratulate the government of Sri Lanka on its vigilance and the TIP Report for accurately describing such vigilance. If a country in the midst of perhaps its worst natural disaster in modern history can take effective action to prevent trafficking, what could we all achieve if we treated trafficking in persons as the global man-made disaster that it is.